

City of Miami Beach - City Commission Meeting
Commission Chambers, 3rd Floor, City Hall
1700 Convention Center Drive
July 28, 2004

Mayor David Dermer
Vice-Mayor Richard L. Steinberg
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Saul Gross
Commissioner Jose Smith

City Manager Jorge M. Gonzalez
City Attorney Murray H. Dubbin
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

Call to Order - 9:00 a.m.
Inspirational Message, Pledge of Allegiance
Requests for Additions, Withdrawals, and Deferrals

Presentations and Awards

PA Presentations and Awards

Consent Agenda

C2 Competitive Bid Reports
C4 Commission Committee Assignments
C6 Commission Committee Reports
C7 Resolutions

Regular Agenda

R2 Competitive Bid Reports
R5 Ordinances
R6 Commission Committee Reports
R7 Resolutions
R9 New Business and Commission Requests
R10 City Attorney Reports

Reports and Informational Items



*"We are committed to providing excellent public service
and safety to all who live, work, and play in our vibrant, tropical, historic community."*

PA - Presentations and Awards

- PA1 Certificate Of Appreciation To Be Presented To Neli Santamarina For Her Time On The Board Of Adjustment. (Page 2)
(Requested by Commissioner Matti Herrera Bower)
- PA2 Certificates Of Appreciation To Be Presented To Employee Of The Month "At Your Service Award" Winners For May, June, And July 2004.
(City Manager's Office)
- PA3 Presentation Of Resolutions Of The Florida Senate And The Florida House Of Representatives By Senator Gwen Margolis And Representatives Gus Barreiro, Dan Gelber And Dorothy Bendross-Mindingall, Regarding Miami Beach's Selection As An All America City.
(Economic Development)
- PA4 Presentation By Senator Gwen Margolis, Representatives Gus Barreiro, Dan Gelber And Dorothy Bendross-Mindingall, Of A Check In The Amount Of \$400,000 For Water Projects In Miami Beach.
(Economic Development)
- PA5 Special Recognition Of Unidad Refugee And Summer Youth Employment Participants.
(Requested by Commissioner Matti Herrera Bower)
- PA6 Key To The City And Certificate Of Appreciation To Be Presented To David Wallack For Donating \$5,500 Dollars To Purchase A New Miami Beach Police K-9 Dog.
(Requested by Mayor David Dermer)

CONSENT AGENDA

Action:
Moved:
Seconded:
Vote:

C2 - Competitive Bid Reports

- C2A Request For Approval To Purchase One (1) 2004 Morbark Tornado 13 Brush Chipper, From Smith Brothers Contracting Equipment, Inc., Pursuant To Federal General Services Administration Contract No. GS-30F-0018N, In The Amount Of \$28,241.25. (Page 5)
(Fleet Management)

C2 - Competitive Bid Reports (Continued)

- C2B Request For Approval To Award Contracts To Hughes Supply As Primary Vendor, And A&B Pipe And Supply As Secondary Vendor, Pursuant To Invitation To Bid No. 29-03/04, For The Supply And Delivery Of Tapping Sleeves And Saddles In The Estimated Annual Amount Of \$60,000.
(Page 8)
(Public Works)
- C2C Request For Approval To Award A Contract To International Data Depository (IDD), Pursuant To Invitation To Bid No. 5-03/04, For Records Management And Services, In The Estimated Annual Amount Of \$37,925.40, And Closing Account Fee In The Amount Of \$11,000 Upon Termination Of Contract. (Page 13)
(Procurement)
- C2D Request For Approval To Award Contracts As Follows: 1) Advanced Data Solutions, Inc., For The Conversion Of Microfilming Documents To Imaging; 2) International Data Depository Inc., For The Conversion Of Folio Cards And All Other Documents To Imaging; And 3) Applied Digital Programming Technologies Inc., For The Microfilming Of Building Plans, Pursuant To Invitation To Bid No. 20-02/03, Citywide Microfilming And Imaging Services For Various Departments In The City Of Miami Beach, And The Building Department, In An Estimated Annual Amount Of \$65,000.
(Page 18)
(Building Department)

C4 - Commission Committee Assignments

- C4A Referral To The Land Use And Development Committee - Discussion Regarding The Zoning Of Religious Institutions In The RS-4 District. (Page 24)
(Requested by Vice-Mayor Richard L. Steinberg)
- C4B Referral To The Finance & Citywide Projects Committee - Discussion Regarding Funding Assistance For The Miami Beach Community Health Center. (Page 26)
(Requested by Commissioner Jose Smith)
- C4C Referral To The Marine Authority And Neighborhood/Community Affairs Committee - An Ordinance Proposing Limits On Live A Boards And Houseboats. (Page 28)
(Requested by Commissioner Jose Smith)
- C4D Referral To The Planning Board - An Ordinance Banning Mechanical Lifts As A Way For Developers To Meet Parking Requirements. (Page 32)
(Requested by Commissioner Jose Smith)

C6 - Commission Committee Reports

- C6A Report Of The Neighborhood/Community Affairs Committee Meeting Of June 15, 2004: **1)** Discussion Regarding A Proposal To Exchange A City-Owned Property (Municipal Parking Lot No. 4D) Located At 1625 West Avenue For A Vacant Lot Owned By The Housing Authority Located At 1231-1251 17th Street; **2)** Discussion Regarding The Following Ordinances: a. An Ordinance Amending Chapter 102 Of The City Code, Entitled "Taxation"; Amending Division IV Therein, Entitled "Tax"; Amending Article V Therein, Entitled "Occupational License Tax"; Amending Section 102-379 Therein, Entitled "Schedule Of Taxes"; Said Amendment Providing For A Five Percent Discount Toward A Subsequent Year's Occupational License If The Licensee Receives No Code Violations During The Previous Year; b. An Ordinance Amending Section 98-166 Of The City Code, Entitled: "Duty To Maintain Sidewalks And Swale Areas" By Providing A Minimum Standard Of Sidewalk Maintenance By Every Merchant, Store Keeper Or Operator Of A Business; Said Standard Being To Sweep The Sidewalk At The Opening And Close Of The Business Day; **3)** Discussion Regarding The Review And Approval Of The Placement Of A Commemorative Plaque Honoring Former Mayor Mel Richards; And **4)** Discussion Regarding The Use Of Channel 20 To Broadcast Public Service Announcements. (Page 35)
- C6B Report Of The General Obligation Bond Oversight Committee Meeting Of July 12, 2004: 1) Change Order Report; 2) Recommendation To City Commission: a) Collins Park Cultural Center A/E Award; 3) Project Status Report: a) Fire Station No. 2; b) Fire Station No. 4; c) Normandy Isle Park And Pool; 4) Informational Items: a) Updated Calendar Of Scheduled Community Meetings; b) Altos Del Mar Park Engineering Report; c) Lummus Park South Pointe RDA TIF Appropriation. (Page 41)

C7 - Resolutions

- C7A A Resolution Authorizing The Execution Of A Memorandum Of Understanding Between The Miami City Ballet And The City Of Miami Beach Regarding The Use Of The Miami City Ballet Building Located At 2200 Liberty Avenue As A Forward Command Post During Specified Hurricane Conditions. (Page 52)
(City Manager's Office)
- C7B A Resolution Amending Resolutions No. 2000-24211, 2000-23855, 97-22375 And 97-22600, Respectively, Which Established The Bank Accounts With Citibank Federal Savings Bank, Entitled, "City Of Miami Beach/Miami Beach Convention Center" And "City Of Miami Beach/Jackie Gleason Theater" To Provide For Designated Signatories To The Accounts From SMG And The City Administration. (Page 57)
(Convention Center)
- C7C A Resolution Authorizing The Administration To Continue The Application Process To Establish A National Heritage Area In Miami Beach, And Further Establishing A Steering Committee To Oversee The National Heritage Area Designation Process. (Page 60)

(Economic Development)

C7 - Resolutions (Continued)

- C7D A Resolution Urging The Metropolitan Planning Organization To Expediently Consider Approval And Funding For The Purpose Of Conducting A Traffic Impact Study Of The MacArthur Causeway, To Be Conducted Jointly By The Cities Of Miami Beach And Miami. (Page 67)
(Economic Development)
- C7E A Resolution Appropriating Funds From The Water And Sewer Retained Earnings Fund, In The Amount Of \$137,245, For The Purchase Of One (1) 2005 Altec AC26-95 25-Ton Crane Mounted On An International 7400 6x4 Chassis From Altec Industries, Inc., In The Amount Of \$137,245, Pursuant To Federal General Services Administration Contract No. GS-30F-1028G. (Page 74)
(Fleet Management)
- C7F A Resolution Authorizing The City Manager Or His Designee To Submit Applications For Grant Funds To The Following Agencies: 1) Office Of The Governor, Drug-Free Communities Program For Drug Eradication Programs; 2) Miami-Dade County Homeless Trust For Supportive Housing Programs; 3) Federal Mediation And Conciliation Services For Labor - Management Cooperation Program; 4) Florida Attorney General Office, For Grant Funds Provided Through The Victims Of Crime Act (VOCA); Further Appropriating The Grants If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To This Application.
(Page 79)
(Grants Management)
- C7G A Resolution Accepting The Ranking Of The Proposals Received For Group Employee Life Insurance Benefits Pursuant To The Request For Proposals Issued March 24, 2004, By Arthur J. Gallagher And Co., The City's Broker For Group Employee Benefits, And Authorizing The Administration To Enter Into An Agreement With The Number One Ranked Firm, Standard Insurance Company, To Provide Group Employee Basic Life, Accidental Death & Dismemberment, And Supplemental Life Insurance Benefits; And, Authorizing The Mayor And City Clerk To Execute An Agreement Not To Exceed An Estimated Annual Premium Of \$450,000, Effective October 1, 2004 For A Period Of Three Years, With The Option To Renew For A Fourth And Fifth Year With A Contingent Rate Guarantee Upon An Incurred Loss Ratio Of 81% Or Better. (Page 86)
(Human Resources)
- C7H A Resolution Adopting The City's One-Year Action Plan For Federal Funds For Fiscal Year 2004/2005, Which Includes The Budgets For The Community Development Block Grant (CDBG) Program, The Home Investment Partnerships (HOME) Program, And The American Dream Downpayment Initiative (ADDI); Authorizing The Mayor And City Clerk To Approve Agreements Necessary To Implement The CDBG Activities Of The One-Year Action Plan As Follows: Twenty-Seven (27) CDBG Sub-Recipient Agreements, Two (2) CDBG Interdepartmental Memoranda Of Understanding; Authorizing The Administration And The Office Of The City Attorney To Make Minor Non-Substantive Changes To The One-Year Action Plan Or Resulting Agreements Before Execution; Amending Certain Agreements, As Set Forth In The Body Of The Plan (Exhibit 1), To Extend The

Expiration Dates Of Said Agreements; Authorizing The City Manager To Execute All Applicable Documents And Submit The One-Year Action Plan To The U.S. Department Of Housing And Urban Development (HUD) And Authorizing The Appropriation Of All Federal Funds When Received.
(Page 95)

(Neighborhood Services)

C7 - Resolutions (Continued)

- C7I A Resolution To appropriate Funds, In The Amount Of \$85,000, From Middle Beach Quality Of Life Funds In Order To Perform Restorative Irrigation Work And Install Additional Plant Material At The Julia Tuttle Eastern Interchange, Arthur Godfrey Right A Ways, Alton Road East To Indian Creek, And The Collins Avenue Center Medians, From 43rd Street North To 62nd Street. (Page 106)
(Parks & Recreation)
- C7J A Resolution Adopting And Appropriating The Third Budget Amendment To The Police Special Revenue Account For Fiscal Year 2003/04 In The Amount Of \$4,000, Such Account Funded By Unclaimed Evidence Currently Held In The Police Special Revenue Account. (Page 111)
(Police Department)
- C7K A Resolution Adopting And Appropriating The Fourth Amendment To The Police Confiscation Trust Fund Budget For The Fiscal Year 2003/04 In The Amount Of \$68,000 To Be Funded From The Proceeds Of State (\$20,000) And Federal-Justice (\$48,000) Confiscated Funds. (Page 116)
(Police Department)
- C7L A Resolution Approving And Authorizing The Mayor And City Clerk To Execute Amendment No. 1 To The Management Agreement Between The City Of Miami Beach And SMG For The Miami Beach Convention Center And Jackie Gleason Theater Of The Performing Arts; Said Amendment Electing To Have SMG Operate, Manage, And Promote The Byron-Carlyle Theater, The Colony Theater, And The Acorn Theater, For An Initial Two (2) Year Term, Commencing On October 1, 2004, And Ending On September 30, 2006, With An Option To Renew For Two (2) Additional One (1) Year Terms, At The City's Discretion, At An Additional Fee Not To Exceed \$40,000 Per Year; Providing Further For Payment By SMG To The City Of The Additional Capital Contribution, As Defined In Amendment No. 1. (Page 123)
(Tourism & Cultural Development)
- C7M A Resolution Establishing Rental Rates For The Byron Carlyle, Colony And Acorn Theaters, And Other Related Activities, As Set Forth In Exhibits B, C & D Of The Commission Memorandum To This Resolution As Incorporated Herein And Attached Hereto; Said Fees Effective On October 1, 2004; And Repealing Established Rental Rates For The Little Stage (Acorn) Theater, As Set Forth In Resolution No. 2003-25306. (Page 142)
(Tourism & Cultural Development)
- C7N A Resolution Authorizing The Administration To appropriate Additional Funding For The Purchase Of Additional Hardware From The Q-Matic Corporation, As Owner Of The Copyrighted Software Code For Q-Matic System, In The Amount Of \$29,528, Based On GSA Bid No. GS-07F-0017K, For Additional Electronic Displays For Customer Flow / Queuing Management System Installed In The

Building Department, Including Hardware, Warranty, Implementation And Electrical Sub-Contractor Services. (Page 161)
(Building Department)

C7 - Resolutions (Continued)

C7O A Resolution Authorizing The City Manager To Issue A Request For Proposals (RFP) For The Collection And Disposal Of Residential Solid Waste, Yard Trash And Bulk Waste And The Operation Of The City's Green Waste Facility. (Page 168)
(Public Works)

End of Consent Agenda